

## REMARKS

In the Office Action, mailed October 24, 2005, the Examiner objected to the Specification. The Examiner also rejected claims 1 -3, 7, 8 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 17 and 18 of United States Patent No. 6,892,366 issued to Teig et al. ("Teig") in view of United States Patent No. 6,671,661 issued to Bishop ("Bishop"). The Examiner objected to claims 2-10 as being dependent upon a rejected independent base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this Amendment, Applicants have amended the specification. Applicants have not amended or added any claims. Accordingly, claims 1-11 will be pending after entry of this Amendment.

### **I. Objection to the Specification**

In the Office Action, the Examiner objected to the specification for minor informalities. Specifically, the Office Action states that element number ( $S_3$ ) appears missing from Figure 9A and that  $C_{01}$  through  $C_{04}$  appear missing in Figure 10. In this Amendment, the Applicants have amended the specification to correct these and other informalities. Specifically, with regard to Figure 9A, Applicants have corrected a typographical error referencing the distance between elements 921 and 911 as being labeled as  $S_3$  when in fact it should be labeled as  $S_2$ . With regard to Figure 10, Applicants have added an explanation of elements  $C_{01}$  through  $C_{04}$  and indicated that these elements are not shown in Figure 10. For clarity, Applicants have similarly amended Figure 11 by added an explanation of elements  $C_{01}$  through  $C_{06}$  and indicated that these elements are not shown in Figure 11.

The Office Action further states that  $C_{01}$  and  $C_{02}$  appear missing from Figure 9B. Applicants respectfully submit that Figure 9B does in fact show  $C_{01}$  and  $C_{02}$ . The capacitance  $C_{01}$  is located in the bottom portion of Figure 9B, between  $W_0$  and  $W_1$ , to the left of  $S_1$ , while capacitance  $C_{02}$  is located in the top portion of Figure 9B, between  $W_0$  and  $W_2$ , to the left of  $S_2$ . Similarly, the Office Action states that elements 1110 and 1130 appear missing from Figure 11. Applicants respectfully submit that Figure 11 does in fact show elements 1110 and 1130. Element 1110 is located in the center portion of Figure 11, along the interconnect wire with wire section width  $W_0$ , diagonally between elements 1170 and 1180. Element 1130 is located in the top portion of Figure 11, along the interconnect wire with wire section width  $W_2$ , between and slightly above elements 1170 and 1190.

## **II. Non-Statutory Obviousness Double Patenting Rejection of claims 1-3, 7 and 8**

In the Office Action, the Examiner rejected claims 1-3, 7 and 8 as being unpatentable over claims 1-3, 17 and 18 of Teig in view of Bishop under the judicially created doctrine of obviousness-type double patenting as being unpatentable. Claims 2- 11 are dependent directly or indirectly on claim 1.

Because the current Application and Teig are commonly owned by the same inventive entity, Applicants submit that pursuant to 37 C.F.R. §1.130(b), the obviousness-type double patenting rejection may be obviated by filing a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c). Applicants are concurrently filing a Terminal Disclaimer. The Disclaimer is executed by Mani Adeli, an attorney of record in the Power of Attorney previously submitted to on October 27, 2004. The Terminal Disclaimer disclaims the terminal part of the statutory term of any patent granted on the current Application, in compliance with 37 C.F.R. § 1.321(c) to overcome the non-statutory double patenting rejection.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the non-statutory obviousness double patenting rejection of claims 1-3, 7 and 8.

### **III. Allowable Claims 2-10**

In the Office Action, the Examiner objected to claims 2-10 as being dependent upon a rejected independent base claim. The Examiner stated that claims 2-10 were otherwise allowable if rewritten in independent form, including all of the informalities of the base claim and any intervening claims. Applicants respectfully thank the Examiner for the allowance. However, Applicants respectfully have not rewritten any of these claims in independent form since Applicants respectfully believe that their concurrent filing of a Terminal Disclaimer rejected independent claim 1 is patentable over the cited references.

As claims 2-11 dependent directly or indirectly on claim 1 and with Applicants concurrent filing of the above-mentioned Terminal Disclaimer, Applicants respectfully request reconsideration and withdrawal of the objection to claims 2-10.

## CONCLUSION

In view of the foregoing, it is submitted that all the claims, namely claims 1-11, are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance is earnestly solicited at the earliest possible date.

Respectfully submitted,

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